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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/811,403      | 03/20/2001  | Hiroimi Sutou        | 520.39905X00        | 4076             |

24956 7590 02/27/2006

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| EXAMINER |
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BOUTAH, ALINA A

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| ART UNIT | PAPER NUMBER |
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2143

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/811,403

**Applicant(s)**

SUTOU ET AL.

**Examiner**

Alina N Boutah

**Art Unit**

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/7/06.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/20/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to Applicant's amendment filed November 7, 2005. Claims 15-27 have been newly added. Claims 1-27 are pending in the present application.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's admitted prior art (AAPA).

Regarding claims 1, 2, 15 and 17, AAPR teaches a terminal for a computer network, comprising:

means for receiving a remote operation message from a distant terminal through a communication network (specification page 1, lines 22-24);

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means for entering remote operation input information extracted from the received remote operation message into an operating system (specification page 2, lines 1-5); and

history recording means for recording the remote operation input information and transition of display on a terminal display screen in response to the remote operation input information as remote control history data (specification, page 2, lines 16-20).

Regarding claim 16, AAPR teaches a terminal for a computer network according to claim 15, wherein history recording means records in said memory, as a part of the remote control history data, transition of display which has occurred on said terminal display screen in response to processing the remote operation input information (specification, page 2, lines 16-20).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-12, 18-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of USPN 6,708,211 issued to Tingley et al. (hereby referred to as Tingley).

Regarding claims 3 and 18, AAPA teaches a terminal for a computer network, comprising:

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communication control means for receiving a remote operation message from a distant terminal through a communication network (specification page 1, lines 22-24);

remote operation basic control means for entering remote operation input information extracted from the received remote operation message into an operating system (specification page 2, lines 1-5);

history recording means for creating event data according to the remote operation input information for recording the created event data in a remote control history file (specification, page 2, lines 16-20); and

means for displaying remote control history information on a display screen of the terminal based on the content of said remote control history according to a request from a terminal user (specification, page 2, lines 16-20).

However, AAPA fails to explicitly teach hooking means for capturing information supplied from the operating system to an application program and a display controller. This limitation is taught by Tingley in abstract, col. 1, lines 34-50, line 67 to col. 2, line 12. At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a hooking means in order to capture data, allowing administrators to track user's activities, therefore facilitating in policies formulations, thus help control the network (col. 1, lines 50-53).

Regarding claims 4, 5 and 19, AAPA does not explicitly teach a terminal for a computer network according to claim 2, wherein said remote operation basic control means generates a message for reflecting the change in a terminal screen in response to the remote operation input

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information to said distant terminal, and sends the generated message to the network via said communication control means. Tingley teaches generating a message for reflecting the change in a terminal screen in response to the remote operation input information to said distant terminal, and sends the generated message to the network via said communication control means (col. 4, lines 1-27). At the time the invention was made, one of ordinary skill in the art would have been motivated to generate a message for reflecting the change in terminal screen in order to allow administrators to track user's activities, therefore facilitating in policies formulations, thus help control the network (col. 1, lines 50-53).

Regarding claims 6-8 and 20-23, AAPA does not explicitly teach a terminal for a computer network according to claim 1, wherein the history recording means includes means for automatically start remote operation history recording when it is judged that remote operation input information from the distant terminal or a terminal operation in response to the remote operation input information satisfies a predetermined start condition. Tingley teaches a history recording means includes means for automatically starts remote operation history recording when it is judged that remote operation input information from the distant terminal or a terminal operation in response to the remote operation input information satisfies a predetermined start condition (col. 7, line 59 to col. 8, line 11). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include means for automatically start remote operation history recording in the history recording means in order to allow automatic remote monitoring without user's intervention, therefore making the operation more efficient.

Regarding claims 9-11 and 24-26, although Tingley does not explicitly teach a terminal for a computer network according to claim 1, wherein the history recording means includes means for automatically stops remote operation history recording when it is judged that remote operation input information from the distant terminal or a terminal operation in response to the remote operation input information satisfies a predetermined stop condition, he discloses a condition that starts the recording (col. 7, lines 59 to co. 8, line 11). It is obvious to one of ordinary skill in the art that if recording starts, it has to stop eventually by certain condition in order to prevent the system from recording indefinitely.

Regarding claim 12 and 27, although Tingley does not explicitly teach a terminal for a computer network according to claim 1, wherein remote operation history recording is stopped after a lapse of a predetermined time period from the start of remote operation history recording, it would have been obvious to one of ordinary skill in the art to stop the history recording after a certain period of time in order to prevent the system from recording indefinitely.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of WO 99/13423 by Middleton et al. (hereinafter referred to as Middleton).

Regarding claim 13, AAPA teaches a remote operation history recording method for use in a computer network system in which one of a plurality of terminals is used as a control

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terminal for conducting remote operation of another terminal to be a remote controlled terminal, the method comprising the steps of:

sending a remote operation message from said control terminal to said remote controlled terminal (specification page 1, lines 22-24);

extracting remote operation input information from the remote operation message received by the remote controlled terminal, and executing a program operation at the remote controlled terminal according to the extracted remote operation input information (specification page 2, lines 1-5); and

storing, as operation history data, event information generated at the remote controlled terminal according to the remote operation input information (specification, page 2, lines 16-20).

However, AAPA fails to explicitly teach sending a message indicating the results of execution of the program operation from the remote controlled terminal to the control terminal; and storing, as operation history data, event information indicating the results of the program operation at the remote controlled terminal.

Middleton teaches sending a message indicating the results of execution of the program operation from the remote controlled terminal to the control terminal (abstract, page 3, line 20 page 4, line 21; page 7, line 27 to page 8, line 24; page 9, lines 13-20); and

storing, as operation history data, event information indicating the results of the program operation at the remote controlled terminal (abstract, page 3, line 20 page 4, line 21; page 7, line 27 to page 8, line 24; page 9, lines 13-20). At the time the invention was made, one of ordinary



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skill in the art would have been motivated to combine the teaching of Middleton with the teaching of AAPA in order to provide a system that tracks user's activities, thus allowing administrator to better understand user's interest (abstract).

Regarding claim 14, AAPA does not explicitly teach a remote operation history recording method according to claim 13, wherein the remote controlled terminal judges whether or not the remote operation input information extracted from the remote operation message received from the control terminal or a program operation executed in response to the remote operation input information satisfies a predetermined start condition, and if the predetermined start condition is satisfied, operation history recording is started at the remote controlled terminal to store event information based on the remote operation input information and event information indicating the results of execution of the program operation. Middleton teaches the stated claim limitation not taught in page 4, lines 15-21 and page 9, lines 19-20. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to stop the remote operation history recording after a lapse of a predetermined time period in order to prevent any unwanted remote operating history without user's intervention, therefore making the operation more efficient.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Thursday (9:00 am-7:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*ANB*

ANB

*Wm. C. Vaughn, Jr.*  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER